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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Paul Nielsen

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EXAMINER

POINVIL, FRANTZY

ART UNIT

PAPER NUMBER

3696

MAIL DATE

DELIVERY MODE

04/29/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/051,358	Applicant(s) NIELSEN ET AL.	
	Examiner Frantzy Poinvil	Art Unit 3696	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 6-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 17-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 2-5, 17 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claim 2, line 2, "means for accessing" lacks clear antecedent basis. Also on line 2, and line 5, it is unclear if applicant is referring to another mobile portal.

As per claim 3, line 3, it is unclear if applicant is referring to another mobile portal different from that which is recited in claim 1.

As per claim 4, line 2, "a user" should be changed to - -said- - to avoid confusion that a new user is being introduced. On line 3, "a mobile portal" should be changed to - - said mobile portal - - to avoid confusion that a new mobile portal is being introduced. . As per claim 17, line 5, "a" should be changed to - -said- -.

As per claim 19, line 2, it is unclear if applicant is referring to another mobile portal different from that which is recited in claim 1.

Claims not directly addressed are rejected based on their dependencies.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 17-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suer et al (US Patent No. 6,431,439).

As per claims 1 and 17, Suer et al disclose a system and method for enabling a wireless mobile device to communicate with an automated teller machine (ATM). The automated machine in the system of Suer et al comprises a display, means for receiving over a wireless channel, information from the mobile portal or device. See column 12, lines 26-48 of Suer et al. The ATM of Suer et al also comprise a means such as a display means for presenting at least some of the retrieved information to a user on the display of the ATM. Suer et al do not explicitly state displaying the information in a format compatible with screen size of a cellular telephone. As per this feature, the Examiner asserts that this is common practice in retrieving information from a portal to present such in a format compatible with screen size of a cellular phone as noted on page 4 of the applicant's specification. Thus, incorporating this well known feature in the ATM of Suer et al would have been obvious to one of ordinary skill in the art at the time the invention was made in order to provide viewing of financial information in a well adapted and practiced format thus enabling instant and legible viewing of retrieved financial information.

As per claim 2, the means for accessing a mobile portal includes a wireless transceiver and a software component which interferes with the wireless transceiver and a terminal application to retrieve information from the mobile portal (see column 14, lines 18-41) and configure the information to a format suitable for presentation by the terminal application.

As per claim 3, most automated terminal machines comprise a printer for providing a user with a hard copy of information. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a printer in the ATM of Suer et al in order to provide a user with a hard copy of information retrieved from the mobile port reflecting a particular transaction.

As per claim 4, the system of Suer et al also comprises (i) means for identifying a user to determine whether that user has provided a mobile portal with personalized information, and (ii) means for retrieving any such personalized information from the mobile portal (see column 6, lines 38-58 and column 11, lines 28-55 and column 16, lines 6-58 of Suer et al.).

As per claim 5, the system of Suer et al also comprise means for accessing a transaction authorization system which means is separate from the means for accessing a mobile portal. See (see column 6, lines 38-58 and column 11, lines 28-55 of Suer et al.).

As per claims 18, 22, in using most portable devices to communicate information to an ATM, the information is usually compatible with wireless application protocol WAP , wireless markup language or i-mode as is well known in the art and as noted on page 4 of the applicant's specification. Providing this feature in the system and method of Suer et al would have been obvious to one of ordinary skill in the art at the time the invention was made in order to facilitate the transmission and displaying of information in the ATM from the wireless portable device.

As per claims 19 and 25, in the system and method of Suer et al comprise means for accessing a mobile portal is restricted to accessing a single mobile portal, and no others using a personal identification number for each user or portal.

As per claims 20 and 21, Suer et al do not explicitly state limiting the presentation on the display to a predetermined time or a predetermined time of less than a minute after which the information is removed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce such a feature in the system and method of Suer et al for privacy purposes and in case a user steps away from the terminal so that their personal information is not accessible to unauthorized persons.

As per claims 23 and 24, a WAP browser displays three to five lines of content text fields on a display wherein the information displayed occupies part of the display of the ATM, and the remainder of the display remains unchanged.

Claim 26 recites limitations found in claims 1, 18, 22 and 25, and these limitations are rejected under a similar rationale.

As per claim 28, a WAP browser displays three to five lines of content text fields on a display wherein the information displayed occupies part of the display of the ATM, and the remainder of the display remains unchanged.

As per claims 27, Suer et al do not explicitly state limiting the presentation on the display to a predetermined time or a predetermined time of less than a minute after which the information is removed. However, this is a routine function of most ATM terminals. It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce such a feature in the system and method of Suer et al for privacy purposes and in case a user steps away from the terminal so that their personal information is not accessible to unauthorized persons.

As per claim 29, Suer et al is directed to a system, method and apparatus. Claim 29 contains limitations recited in claims 1 and 19 and these limitations are rejected under a similar rationale.

As per claim 30, Suer et al do not explicitly state limiting the presentation on the display to a predetermined time or a predetermined time of less than a minute after which the information is removed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce such a feature in the system and method of Suer et al for privacy purposes and in case a user steps away from the terminal so that their personal information is not accessible to unauthorized persons.

As per claim 31, a WAP browser displays three to five lines of content text fields on a display wherein the information displayed occupies part of the display of the ATM, and the remainder of the display remains unchanged.

As per claim 32, see the rejection of claims 1 and 18.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Frantzy Poinvil/
Primary Examiner
Art Unit 3696**

FP
04/21/2009